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PTO/SB/35 (11-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)

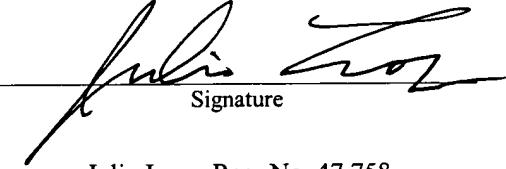
| | |
|------------------------|--|
| First Named Inventor | Shantigram Jagannath |
| Title | METHOD AND APPARATUS FOR VIRTUAL OVERLAY NETWORKS |
| Attorney Docket Number | 82771P277 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

09/26/02

Date


Signature

Julio Loza, Reg. No. 47,758

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 112(b)(2)(B)(iii)).**



09-30-02

PTO/SB/29 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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CPA #9
JULY 10 2002
S. J. [Signature]CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

CHECK BOX, if applicable:

 DUPLICATE

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

| | | |
|---|---|--------------------------------------|
| Address to: | Attorney Docket No. of Prior Application | 82771P277 |
| Assistant Commissioner for Patents Box CPA Washington, DC 20231 | First Named Inventor | Shantigram Jagannath |
| | Examiner Name | Andy Lee |
| | Group/Art Unit | 2663 OCT 04 2002 |
| | Express Mail Label No. | EV127105824US Technology Center 2600 |

This is request for a continuation or divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09/109,343,
filed on June 30, 1998, entitled METHOD AND APPARATUS FOR VIRTUAL OVERLAY NETWORKS.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. Enter the unentered amendment previously filed on _____ under 37 CFR § 1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
 - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
02-AHNDAF1-00000090 022666 09109343
 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. PTO-1449
 - b. Copies of IDS Citations

| | |
|-----------|--------------------|
| 01 FC:131 | 740.00 OP |
| 02 FC:102 | 84.00 OP |
| 03 FC:103 | 34.00 CH 182.00 OP |

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

10/01/2002 AHNDAF1 00000090 09109343

01 FC:102 84.00 CH

01 FC:101

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--|---|------------------|-------------------------------|----------------------------|------------------|
| | TOTAL CLAIMS (37 CFR 1.16(c) or (j)) | 32 -20* = | 8 | x \$ 18.00 = | \$ 144.00 |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b) or (l)) | 5 -3** = | 1 | x \$ 84.00 = | 84.00 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | +\$ _____ = | |
| | | | | BASIC FEE (37 CFR 1.16) | 740.00 |
| | | | Total of above Calculations = | | \$968.00 |
| | Reduction by 50% for filing by small entity (Note 37 CFR 1.27). | | | | |
| * Reissue claims in excess of 20 and over original patent. | | | | TOTAL = | \$968.00 |
| ** Reissue independent claims over original patent. | | | | | |

6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02 2666:

 - a. Fees required under 37 CFR 1.16.
 - b. Fees required under 37 CFR 1.17.
 - c. Fees required under 37 CFR 1.18.

8. A check in the amount of \$1,006.00 is enclosed.

9. Payment by credit card. Form PTO-2038 is attached.

10. Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) enclosed.

11. New Attorney Docket Number, if desired
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]

12. a. Receipt for Facsimile Transmitted CPA (PTO/SB/29A)
b. Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

13. Other: Nonpublication Request

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

| | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label |  *08791* | or <input type="checkbox"/> Correspondence address | |
| Name | <hr/> <hr/> | | |
| Address | <hr/> <hr/> | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | |
|-----------------------------------|--|
| NAME (Print/Type) | Julio Loza |
| SIGNATURE |  |
| Registration No. (Attorney/Agent) | 47,758 |
| DATE | September 26, 2002 |